



State of Vermont

LAND USE PERMIT

CASE No. 3W0360-EB
APPLICANT White Sands Realty Company
ADDRESS c/o McKenzie, Borden, Meaders & Ives
535 Fifth Avenue
New York, New York

LAWS/REGULATIONS INVOLVED
10 V.S.A. Chapter 151 (Act 250
Vermont State Board of Health
Regulations, Chapter 5,
Sanitary Engineering, Subchapter 10, Part I, Subdivisions

The Vermont Environmental Board hereby issues a Land Use Permit pursuant to the authority vested in it in 10 V.S.A., Chapter 151. This permit applies to lands identified in Book 63, Page 395 of Woodstock Land Records, as the subject of a deed to White Sands Realty Company,, the "permittee" as grantee. This permit specifically authorizes the permittee to subdivide 246 acres of land, more or less, into 20 lots and to construct an access road of approximately 5,700 feet located north of Route 4 near the Woodstock-Bridgewater Town Line in the Town of Woodstock, Vermont.

The permittee, its successors and assigns, are obligated by this permit to complete and maintain the project only as approved by the District #3 Environmental Commission in accordance with the following conditions:

- 1. The project shall be completed as set forth in Findings of Fact" and Conclusions of Law #3W0360 except as modified by the Findings, of Fact and Conclusions of Law of the Environmental Board, #3W0360-EB; in accordance with the plans and exhibits stamped "Approved" and on file with the District #3 Environmental Commission; and in accordance with the conditions of this permit. No changes shall be made in the project without the written approval of the District Environmental Commission.
2. By acceptance of the conditions of this permit without appeal, the permittee confirms and agrees for itself and all assigns. and successors in interest that the conditions of this permit shall run with the land and the land uses herein permitted, and will be binding upon and enforceable against the permittee and all assigns and successors in interest. The granting of less than an undivided whole interest in this project is prohibited without prior approval of the District Environmental Commission.
3. This permit hereby incorporates all of the conditions of the Certification of Compliance #3W0360 issued on September 4, 1980, by the Assistant to the Regional Engineer, Division of Protection, Agency of Environmental Conservation.
4. The District Environmental Commission shall maintain continuing jurisdiction during the lifetime of the permit and may periodically require that the permit holder file an affidavit certifying

that the project is being completed in accordance with the terms of the permit.

5. Prior to the sale of a parcel herein approved, the prospective purchaser shall be given a copy of this permit, and a copy of the Findings of Fact and Conclusions of Law incorporated herein.
6. Prior to development of Lot 9, and Lots 11 through 20, wastewater disposal systems shall be designed by a Vermont licensed professional engineer and shall be approved by the Division of Protection of the Agency of Environmental Conservation. Additional soil borings or percolation tests shall be performed as needed at the request of the Division of Protection. The design approved by the Division of Protection shall be implemented and maintained by the purchaser and all successors and assigns. Changes in location and design shall be allowed only after approval by the Division of Protection.
7. The permittee shall comply with Environmental Board Exhibit #16 for erosion control. All erosion control devices shall be periodically cleaned, replaced and maintained until vegetation is permanently established on all slopes and disturbed areas.
8. The permittee shall construct the road as outlined in Environmental Board Exhibit #16, including four turnouts, identified on said exhibit; however, paving of the road is not required.
9. The permittee shall implement Exhibit #15, Road Maintenance Covenants, to ensure that the road is properly maintained by an Owner's Association, provided, however, that such Covenants must be revised to require proper grading of the project road at least semi-annually.
10. The permittee shall, with the assistance of a professional forester and/or game biologist, develop a habitat management program for the 50 acres, more or less, comprising the westernmost portions of Lots 9, 11, and 12 and that such habitat management program shall be instituted and maintained by the permittee, its successors and assigns, for a period of not less than ten years; provided, however, that if it is or can be established, by "any party opposing" the permittee pursuant to 10 V.S.A. 56088, that at the end of the ten year period this area is a "necessary wildlife habitat", pursuant to 10 V.S.A. §6086(a)(8)(A), such programs shall continue for an additional ten years or a total of twenty years.
11. All road construction on this project must be completed by October 1, 1982.

12. This permit shall expire on October 1, 2001, unless extended
by the District Environmental Commission.

Dated at Montpelier, Vermont this 19th day of October, 1981.

ENVIRONMENTAL BOARD

By Jan S. Eastman
Jan S. Eastman
Executive Officer

Members participating
in this decision:

Leonard U. Wilson
Ferdinand Bongartz
Lawrence H. Bruce, Jr.
Dwight E. Burnham, Sr.
Melvin H. Carter
Roger N. Miller